document required, together with a copy thereof and that the courts should make arrangements to compare the copy with the original and return the latter to the witnesses then and there. He added that the expenses incurred by the witnesses should be made good to them by the party concerned. He requested that his suggestions might be favourably considered by the Government.

Dewan's reply.—The remarks of the Member will be referred to the High Court for opinion.

(4) Police.

41. Reforms to be introduced in the Police Department.

Mr. M. K. Madhavan Pillai (Member, Karunagapalli taluk) said that the reorganisation of the Police Department effected in 1088 M. E., did not contribute in any way to the good of the people, but that, since the said reorganisation, the department was drifting from bad to worse. The reorganisation simply gave enhanced powers and salaries to the higher officers of the department and also brought about some changes in their designations. The Member expressed the popular belief that the department could become thoroughly useful to the people at large only if the head of the department was one who knew the people intimately, their language, customs, manners and views. The appointment of a native of the country to the headship of the department would only bring in some savings to the Government under 'salary', as a native of the country would not have to be paid the same high salary as was being paid to foreigners. It would also tend to the co-ordination of the department with other departments in the State like the Excise Department. He also pointed out that, in the Native States of Mysore, Baroda and Cochin, the headship of the Police Department was conferred on natives and that the administration of the department in those places was carried on to the satisfaction of both the Government and the people. He therefore requested that the Government might be pleased to confer the appointment on a native officer of approved ability and character.

The Member next said that the Commissioner insisted on hearing complaints only in his office. That was an inconvenient and undesirable procedure on the part of an executive officer and he prayed that the same might be rectified.

The Member then proceeded to consider the competence and qualifications of the superior officers of the department. As regards the District Superintendents, the Member said that some of them were neither qualified nor competent to hold office. Some of the Circle Inspectors too were thoroughly unfit and their history of service would clearly show how undeserving they were of promotion. The pay of the Circle Inspectors was fixed far higher than that of the Magistrates and the innovation, the Member pointed out, was undesirable and it interfered seriously with the proper administration of justice by the latter. At the time of the reorganisation of the department, it was laid down by the Government that, as far as possible, only graduates should be entertained in the higher ranks of the service. But the Member observed that the above policy of the Government was not only not adhered to, but that those graduates who were already in the department were not sufficiently encouraged.

As regards the Circle Inspectors, the Member stated that the post was created for the purpose of conducting enquiries in important cases as well as the prosecution of such cases. The Circle Inspectors had not yet discharged the above two functions with any amount of credit, and the statistics for the said work would, if called for, unmistakably bear out the above statement. The Circle Inspectors now made rapid marches and gave some instructions to the Sub-Inspectors. But they always took care to connect themselves in some way with the investigation of important cases, so that they might excuse themselves from *conducting* those cases in view of the provision in the Criminal Procedure Code. The Member therefore said that the appointment of Circle Inspectors was a needless superfluity and might be dispensed with.

In regard to the Prosecuting Inspectors, the Member quoted statistics for the years since 1086 and showed that the out-turn of work of the Prosecuting Inspectors was quite inadequate. He therefore suggested that the Prosecuting Inspectors

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should be placed directly under the control of the Head Sirkar Vakil instead of the Police Commissioner and that the Government should devise measures for securing better out-turn of work.

The Member next pointed out that the department was lacking in discipline and that that circumstance was due to two reasons *viz.*, (i) promotions were given not according to merit ; and (ii) the Commissioner of Police alone had powers of punishment so far as the departmental subordinates were concerned. He suggested that promotions should be given with due regard to merit and qualifications and that the District Superintendents should be empowered to punish all officers subordinate to the Sub-Inspector, reserving a right of appeal to the Commissioner.

Referring to the old out-post stations, he said that they were serving a very useful public purpose in the State and that their abolition was a retrograde step. He therefore requested that the old out-post stations should be revived and the existing ones rendered more useful to the public.

The next point touched upon was about the condition of the constables. The department was reorganised at a cost of about one lac of rupees ; but out of that amount not a pie was applied for the betterment of the condition of the constable, whose lot was, in the opinion of the Member, miserable. The lowest pay of a constable was Rs. 7 per mensem and the Member said that it would not be possible to secure good and honest men for that pay. In Cochin the lowest pay of a constable was Rs. 8 per mensem. He therefore requested that, in the interests of the public service, the lowest pay of a constable might be fixed at Rs. 10 and that the additional expenditure required for the purpose should be met from the gain accruing to Government by the abolition of the post of Circle Inspectors.

As regards the innovation recently introduced in the department, namely, that even an ordinary constable was competent to admit cases on the Crime Register if only he was in charge of the station at the time, the Member said that that was fraught with serious consequences to the public. The first information report, which was an important document in a criminal case, had to be prepared by the officer in charge of the station. Hence, the responsibility vested in an ordinary constable to formulate such a report was liable to be seriously abused to the detriment of the public good.

The Member next referred to the departmental circular, which ruled that no mahazars in regard to a scene of occurrence need be prepared by the police, and that it was enough if notes were taken by them in their note-books. The circular did away with the valuable evidence furnished by mahazars. He added that pencil entries in the note-books would not be admissible as evidence under the Criminal Procedure Code. He therefore prayed for the abrogation of the circular.

Lastly, it was the practice with the Commissioner of Police to refer people who complained of apprehended breach of the peace to the Magistracy. That was, in the opinion of the Member, very unsatisfactory. He also added that the conduct of the Police in preventing breaches of the public peace was equally unsatisfactory.

In conclusion, he requested that the Government might be pleased to seriously consider the whole question of the Police Department as it actually worked and introduce the necessary reforms on the lines indicated.

Dewan's reply.—Noted.

The Assembly adjourned at 5-15 P. M.

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